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Express Mail No.: EV 654 850 850 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Fleischer and Reimer

Confirmation No.: 9935

Serial No.: 09/701,450

Group Art Unit: 1615

Filed: November 27, 2000

Examiner: Gollamudi S. Kishore

For: PREPARATIONS FOR THE APPLICATION OF
ANTI-INFLAMMATORY, ESPECIALLY
ANTISEPTIC AGENTS AND/OR AGENTS
PROMOTING THE HEALING OF WOUNDS TO THE
LOWER RESPIRATORY TRACT

Attorney Docket No.: 11390-005-999

**PETITION TO REVIVE AN APPLICATION ABANDONED DUE TO
UNINTENTIONAL DELAY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby respectfully petition for the above-identified application ("the '450 application") to be revived under 37 C.F.R. § 1.137(b) on the ground that the '450 application was abandoned unintentionally because Applicants filed an improper Request for Continued Examination on June 22, 2005. Applicants state that the entire delay from the abandonment of the '450 application to the filing of a grantable Petition is unintentional.

Submitted concurrently herewith is: (a) a Reply under 37 C.F.R. § 1.111 with Amendment; (b) an Amendment Fee Transmittal Sheet; (c) a Second Supplemental Information Disclosure Statement with a List of References Cited; and (d) a copy of each of the cited references, which are submitted in response to the Office Action dated December 22, 2004.

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A fee of \$1,500.00 is believed due for submission of this Petition. Please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is attached for accounting purposes.

If any issues remain, Applicants respectfully request that the undersigned be contacted directly at telephone number (212) 326-3921.

Respectfully submitted,

Date: October 26, 2005

Samuel B. Abrams 30,605
Samuel B. Abrams (Reg. No.)

By: William J. Thomann 40,203
William J. Thomann (Reg. No.)
JONES DAY
222 East 41st Street
New York, New York 10017-6702
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Enclosures